

§ 52.1888

areas: Cincinnati, Cleveland, Columbus and Youngstown.

(b) [Reserved]

(c) Part D—No Action—USEPA at this time takes no action on the carbon monoxide portions of the plan submitted for the urban areas of Akron and Toledo nor on the vehicle inspection and maintenance (I/M) program required for those nonattainment areas which have requested an extension to demonstrate carbon monoxide attainment.

(d) Disapproval—On June 9, 1982 (draft), and November 9, 1982 (final), the State of Ohio submitted a revised demonstration that attempts to show attainment by December 31, 1982, of the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS) for the Cleveland urban area. Supplemental information was submitted on March 8, 1983, March 16, 1983, December 5, 1983, and May 9, 1985. The June 9, 1982, and March 8, 1983, submittals also requested that the 5-year extension for meeting the NAAQS requested on July 29, 1979, and granted by USEPA on October 31, 1980, and June 18, 1981, be rescinded for this area. The attainment demonstration and rescission request are disapproved by USEPA because they do not meet the requirements of § 51.10(b).

[45 FR 72143, Oct. 31, 1980, as amended at 45 FR 72147, Oct. 31, 1980; 49 FR 22815, June 1, 1984; 51 FR 10391, Mar. 26, 1986; 54 FR 615, Jan. 9, 1989; 54 FR 12621, Mar. 28, 1989; 55 FR 17752, Apr. 27, 1990]

§ 52.1888 Operating permits.

Emission limitations and related provisions which are established in Ohio operating permits as federally enforceable conditions in accordance with Rule 3745-35-07 shall be enforceable by USEPA and by any person under section 304 of the Clean Air Act. USEPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and will be based upon the permit, permit approval procedures or permit requirements which do not conform with the operating permit program requirements or the requirements of USEPA's underlying regulations.

[60 FR 55202, Oct. 30, 1995]

40 CFR Ch. I (7-1-99 Edition)

§ 52.1889 Small business stationary source technical and environmental compliance assistance program.

The Ohio program, submitted as a requested revision to the Ohio State Implementation Plan on May 17, 1994, and May 4, 1995, satisfies the requirements of section 507 of the Clean Air Act.

[60 FR 42045, Aug. 15, 1995]

§ 52.1890 Removed control measures.

On the dates listed below, Ohio requested that the indicated control measures be removed from the Ohio State Implementation Plan (SIP).

(a) On February 21, 1997, the State of Ohio requested that the following rules and rule paragraphs be removed from the SIP because they have been amended or revoked by the State subsequent to their incorporation in the SIP: OAC 3745-21-02(C), OAC 3745-21-03(D), OAC 3745-21-05, OAC 3745-22-01, OAC 3745-22-02, OAC 3745-22-03, OAC 3745-22-04, OAC 3745-22-05, OAC 3745-22-06, OAC 3745-22-07, OAC 3745-22-08, OAC 3745-23-03, OAC 3745-23-04, OAC 3745-23-05, and OAC 3745-102-07.

(b) [Reserved]

[62 FR 47947, Sept. 12, 1997]

§ 52.1919 Identification of plan-conditional approval.

(a) The plan commitments listed below were submitted on the dates specified.

(1) [Reserved]

(2) On April 20, 1994, Ohio submitted Rule 3745-35-07, entitled "Federally Enforceable Limitations on Potential to Emit," and requested authority to issue such limitations as conditions in State operating permits. On June 16, 1994, Ohio submitted a commitment to revise Rule 3745-35-07 to clarify that the rule provides for USEPA objection to permits after issuance. The revisions are approved provided Ohio fulfills this commitment by October 25, 1995.

(i) Incorporation by reference.

(A) Rule 3745-35-07, adopted April 4, 1994, effective April 20, 1994.

(3) Conditional Approval—On August 17, 1995, the Ohio Environmental Protection Agency submitted a revision to the State Implementation Plan. The submittal pertained to a plan for the